

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW HAMPSHIRE

IN RE:

JAMES B. IRVING  
ELAINE M. IRVING  
DEBTORS

CHAPTER 13  
CASE NO. 09-14361-MWV

**NOTICE OF HEARING ON MOTION TO DETERMINE SECURED STATUS  
AND VOID WHOLLY UNSECURED LIEN**

The above-cited motion to avoid lien is scheduled for a hearing before the United States Bankruptcy Court, 1000 Elm Street, 11th Floor, Courtroom 1, Manchester, New Hampshire, on January 15, 2009 at 9:00 a.m.

**YOUR RIGHTS MAY BE AFFECTED. You should read the attached motion carefully and discuss it with your attorney. If you do not have an attorney, you may wish to consult one.**

If you have no objection to the motion, no action is required by you. If you do object to the motion, or if you wish to be heard on any matter regarding the motion, you must file a written objection with the Clerk, United States Bankruptcy Court, 1000 Elm Street, Suite 1001, Manchester NH 03101 on or before January 8, 2009.

A copy of your objection or statement must be mailed or delivered to the undersigned Debtor or Debtor's attorney at the address set forth below, the Chapter 7 or Chapter 13 Trustee, the United States Trustee, and a certificate of such action must be filed with the Clerk. If you file an objection or statement, you must also appear at the hearing on the date and time set forth above.

**If no objections are filed by the objection deadline stated above, January 8, 2009, the Court may enter an order granting the motion to void lien without a hearing.**

Dated: December 21, 2009

/s/ Herbert Weinberg

Herbert Weinberg, (BNH #04060)  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the Notice of Hearing on Motion to Determine Secured Status and Void Wholly Unsecured Lien was this day sent, by mailing, first class mail, postage prepaid, or by the Court's ECF system to the following.

Mr. & Mrs. James B. Irving  
65 Hampton Meadow  
Hampton, NH 03842

Lawrence P. Sumski, Trustee  
815 Elm Street, 5<sup>th</sup> Floor  
Manchester, NH 03101

Mortgage Electronic Registration Systems  
PO Box 2026  
Flint, MI 48501-2026

BAC Home Loans Servicing, LP  
c/o Prober & Raphael, A Law Corporation  
20750 Ventura Blvd.  
Woodland Hills, CA 91364

Signed under the penalties of perjury this 21st day of December 2009.

/s/ Herbert Weinberg

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